

FINAL COPY

Explanation for Proposed Constitutional Amendment
To Be Voted on at the November 6, 2012, Election

PROPOSED CONSTITUTIONAL AMENDMENT

Article IV. Legislature.
Section 6. Legislative sessions.

BALLOT QUESTION

Shall Section 6 of Article IV (Legislature) of the Constitution of Virginia concerning legislative sessions be amended to allow the General Assembly to delay by no more than one week the fixed starting date for the reconvened or "veto" session when the General Assembly meets after a session to consider the bills returned to it by the Governor with vetoes or amendments?

EXPLANATION

Current Constitution and Background. After the end of every legislative session, the General Assembly is required by the Constitution to meet again or reconvene in a "veto" session. The only bills that the General Assembly can consider in a veto session are bills that it had passed during the legislative session and that the Governor has sent back to it with his vetoes or suggested amendments.

The Constitution now requires that the veto session must begin on the sixth Wednesday following the end of each session. The veto session usually lasts for only one day and cannot last more than ten days.

Proposed Amendment. The only change to Section 6 of Article IV, proposed by this amendment will allow the General Assembly to delay the start of the veto session for up to one week. The General Assembly will be able to avoid the possible scheduling of the veto session on a religious holiday such as Passover. The proposed amendment does not change the present limits on the business that can be considered in a veto session or on the length of the veto session.

FULL TEXT OF AMENDMENT [Proposed new language is underlined.]

Amend Section 6 of Article IV of the Constitution of Virginia as follows:

ARTICLE IV
LEGISLATURE

Section 6. Legislative sessions.

The General Assembly shall meet once each year on the second Wednesday in January. Except as herein provided for reconvened sessions, no regular session of the General Assembly convened in an even-numbered year shall continue longer than sixty days; no regular session of the General Assembly convened in an odd-numbered year shall continue longer than thirty days; but with the concurrence of two-thirds of the members elected to each house, any regular session may be extended for a period not exceeding thirty days. Neither house shall, without the consent of the other, adjourn to another place, nor for more than three days.

The Governor may convene a special session of the General Assembly when, in his opinion, the interest of the Commonwealth may require and shall convene a special session upon the application of two-thirds of the members elected to each house.

The General Assembly shall reconvene on the sixth Wednesday after adjournment of each regular or special session for the purpose of considering bills which may have been returned by the Governor with recommendations for their amendment and bills and items of appropriation bills which may have been returned by the Governor with his objections. No other business shall be considered at a reconvened session. Such reconvened session shall not continue longer than three days unless the session be extended, for a period not exceeding seven additional days, upon the vote of the majority of the members elected to each house. The General Assembly may provide, by a joint resolution approved during a regular or special session by the vote of the majority of the members elected to each house, that it shall reconvene on a date after the sixth Wednesday after adjournment of the regular or special session but no later than the seventh Wednesday after adjournment.

DLS

4/16/12

Explanation: 186 words

Approved by House Committee on Privileges and Elections April 18, 2012